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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

CALIFORNIA EDUCATION COMMITTEE, LLC and PRISCILLA SCHREIBER, Plaintiffs, **v.** **ARNOLD SCHWARZENEGGER, in his official capacity as Governor of the State of California; EDMUND G. BROWN, JR., in his official capacity as Attorney General of the State of California; JACK O'CONNELL in his official capacity as California Superintendent of Public Instruction; and DOES 1 through 20 inclusive,** Defendants.	07 CV 2246 BTM (WMC) **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION TO DISMISS COMPLAINT BY THE STATE DEFENDANTS** **[Fed. R. Evid. R. 201]** Hearing Date: February 15, 2008 Time: 11:00 a.m. Courtroom: 15 Judge: The Honorable Barry Ted Moskowitz [Oral Argument Not Required]

Defendants Arnold Schwarzenegger, in his official capacity as Governor of the State of California, Edmund G. Brown Jr., in his official capacity as Attorney General of the State of California, and Jack O'Connell, in his official capacity as the California State Superintendent of Public Instruction, respectfully request the Court take judicial notice of the following:

EXHIBIT	**DESCRIPTION**	**PAGE NUMBER**
A.	Circulating and Filing Schedule for Referendum to Overturn Amendments to Education Code [Referendum to Overturn Senate Bill 777]	1
B.	Official Title and Summary of Referendum to Overturn Amendments to Education Code [Referendum to Overturn Senate Bill 777]	1
C.	Text of Senate Bill 777 (Cal. Sen. Bill No. 777) (2007-2008 Reg. Sess.)	2-33

A true and correct copy of each of these documents is attached to this request. This request is made pursuant to Federal Rule of Evidence Rule 201. *See also MGIC Indem. Corp. v. Weisman*, 803 F.2d 500, 504 (9th Cir. 1986) ("On a motion to dismiss, we may take judicial notice of matters of public record outside the pleadings.")

Dated: January 11, 2008

Respectfully submitted,

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